

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Fredrick Capers

Docket No. 5:07-CR-111-1D

Petition for Action on Supervised Release

COMES NOW Marla Bianco, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Fredrick Capers, who, upon an earlier plea of guilty to 18 U.S.C. § 922 (g)(1) and 924, Possession of Firearm by a Felon, was sentenced by the Honorable James C. Dever, III, Chief U.S. District Judge, on August 5, 2008, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months. Fredrick Capers was released from custody on May 20, 2016, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: Capers tested positive for Marijuana on August 23, 2016, September 14, 2016 and September 27, 2016, to which he signed an illegal substance use admission form. Mr. Capers also tested positive on October 5, 2016 and October 14, 2016 which was well out of the 30 day window from his first admitted use. We are recommending that the defendant complete a cognitive behavior program.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Marla Bianco
Marla Bianco
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: 910.354.2535
Executed On: October 27, 2016

ORDER OF THE COURT

Considered and ordered this 3 day of November, 2016, and ordered filed and made a part of the records in the above case.

James C. Dever III
James C. Dever III
Chief U.S. District Judge